IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

F.A.O. No. 717 of 2007

DATE OF DECISION:03.04.2007

M/s United India Insurance Co. Ltd. .....Appellant

Versus

Jaswinder Singh & Ors. .....Respondents

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri R.K. Bashamboo, Advocate
for the appellant.

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This appeal has been filed by the Insurance Company against the award dated 14.10.2006 passed by Motor Accident Claims Tribunal, Patiala, whereby, an amount of Rs. 1.50 lacs has been awarded to the claimant on account of the injuries suffered by him.

The appellant is questioning the finding recorded by the Tribunal on issue No.3 i.e. whether respondent No.1 was not holding a valid and effective driving licence at the time of accident. The Insurance Company has examined RW-2 Sampuran Singh, Clerk of DTO office, Patiala. In his cross-examination, he has categorically stated that the driving licence Ex.R2 was issued to the driver Darshan Singh by Shri Gurdarshan Luthra, ADTO, Patiala. He also identified the signatures of the said officer and in the said driving licence, it was specifically mentioned that the same was valid for scooter/motor-cycle/car and jeep. The contention of the Insurance Company that the said witness has also stated that as per the record the said driving licence was only issued for motor cycle was not accepted by the Court on the ground that in the cross-examination the said witness has categorically stated that the said licence was issued by the

competent authority and was valid for scooter/motor-cycle/car and jeep.

In view of the above, I do not find any infirmity in the said finding recorded by the trial Court. No ground for interference is made out.

Dismissed.

April 03, 2007 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**